

DARBY &  
DARBY

805 Third Avenue  
New York, NY 10022  
Tel: (212) 527-7700  
Fax: (212) 753-6237

E-MAIL:

FILE #: 05432/1004810-US1

DATE: 7/27/06

NUMBER TRANSMITTING TO: 571-273-0459RECIPIENT: PCT Legal DeptCOMPANY: Patent & Trademark OfficeFROM: Flynn GarrisonNO. OF PAGES TRANSMITTING  
(INCLUDING COVER SHEET): 9CONFIRMATION OF THIS TRANSMISSION WILL FOLLOW BY  
FIRST CLASS MAIL (Y/N): NO

COMMENTS:

RECEIVED

27 JUL 2006  
Legal Staff  
International Division

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION BY ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE SO THAT WE CAN ARRANGE FOR THE RETRIEVAL OF THIS DOCUMENT AT NO COST TO YOU. THANK YOU.

PLEASE RETURN TO

• IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT (212) 527-7774

BEST AVAILABLE COPY

**CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10**

Express Mail, Airbill No. \_\_\_\_\_  
I hereby certify that on the date indicated below, this paper was deposited  
with the U.S. Postal Service and that it was addressed for delivery to the  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT  
ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR  
DEPOSIT ACCOUNT NO. 04 - 0100

Date \_\_\_\_\_ Name \_\_\_\_\_  
Signature \_\_\_\_\_

Customer No.: 07278

Docket No.: 05432/100M810-US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Garrick P. Smith

Serial No.: 10/551,737

Filed: June 5, 2006

For: AROMATIC OXYPHENYL AND AROMATIC SULFANYLPHENYL DERIVATIVES

**REQUEST FOR CORRECTED FILING RECEIPT  
AND NOTICE OF ACCEPTANCE**

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Attached are copies of the official filing receipt and Notice of Acceptance received from the PTO in the above application for which issuance of a corrected filing receipt and Notice of Acceptance is respectfully requested.
2. There is an error with respect to the following data, which is:
  - incorrectly entered  
and/or
  - omitted.

incorrectly entered  
and/or  
 omitted.

Error in	Omitted data
<input type="checkbox"/> Applicant's name	
<input type="checkbox"/> Applicant's address	
<input type="checkbox"/> Title	
<input checked="" type="checkbox"/> Filing Date	06/05/2006
<input type="checkbox"/> Application Number	
<input type="checkbox"/> Domestic Priority data as claimed by applicant	
<input type="checkbox"/> Notice of Acceptance - Priority Date	

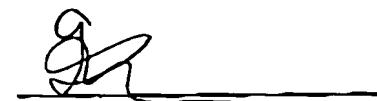
REMARKS

The from the Filing Receipt and Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495. Enclosed please find a copy of the express mail certificate

Marked up copies of the Filing Receipt and Notice of Acceptance are also enclosed.

The Commissioner is respectfully requested to issue new and correct Filing Receipt and Notice of Acceptance documents.

Respectfully submitted,



Flynn Barrison  
Reg. No. 53,970  
Agent for Applicant(s)

Dated: July 26, 2006

DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
212-527-7700



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/551,737	06/06/2006	1615	1380	05432/100M810-US1		27	1

CONFIRMATION NO. 4333

07278  
 DARBY & DARBY P.C.  
 P. O. BOX 5257  
 NEW YORK, NY 10150-5257

## FILING RECEIPT



\*OC000000019546335\*

Date Mailed: 07/11/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Garrick P. Smith, Valby, DENMARK;  
 Gitte K. Mikkelsen, Ballerup, DENMARK;  
 Kim Andersen, Ridgewood, NJ;  
 Daniel R. Greve, Stenløse, DENMARK;  
 Jorgen Eskildsen, Kobenhavn V, DENMARK;

Power of Attorney: The patent practitioners associated with Customer Number 07278.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/DK04/00290 04/27/2004  
 which claims benefit of 60/468,755 04/30/2003

## Foreign Applications

DENMARK PA200300649 04/30/2003

If Required, Foreign Filing License Granted: 07/10/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/551,737

Projected Publication Date: 10/19/2006

Non-Publication Request: No

Early Publication Request: No

Computer Yes  
 D&D Entry Yes  
 Localized Yes  
 Folder Yes  
 Card Yes  
 Letter Yes  
 Foreign Flg. Yes

**Title**

Aromatic oxyphenyl and aromatic sulfanylphenyl derivatives

**Preliminary Class**

514

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

UNITED STATES PATENT AND TRADEMARK OFFICE

T. Williams Page

Page 1 of 2

ATTY REVIEWED

DATE:

**UNITED STATES DEPARTMENT OF COMMERCE**  
**United States Patent and Trademark Office**  
**Address: COMMISSIONER FOR PATENTS**  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,737	Garrick P. Smith	05432/100M810-US1
		INTERNATIONAL APPLICATION NO.
		PCT/DK04/00290
I.A. FILING DATE		PRIORITY DATE
04/27/2004		04/28/2003

07278  
DARBY & DARBY P.C.  
P. O. BOX 5257  
NEW YORK, NY 10150-5257

**CONFIRMATION NO. 4333**  
**371 ACCEPTANCE LETTER**



\*OC000000019546336\*

Date Mailed: 07/11/2006

**NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

06/06/2006

6/5/05

06/06/2006

**DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
(c)(4) REQUIREMENTS**

**DATE OF COMPLETION OF ALL 35 U.S.C. 371  
REQUIREMENTS**

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

**The following items have been received:**

- Copy of the International Application filed on 09/29/2005
  - Copy of the International Search Report filed on 09/29/2005
  - Copy of IPE Report filed on 09/29/2005
  - Preliminary Amendments filed on 06/06/2006
  - Information Disclosure Statements filed on 06/06/2006
  - Oath or Declaration filed on 06/06/2006
  - U.S. Basic National Fees filed on 09/29/2005
  - Priority Documents filed on 09/29/2005

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

---

INDIA L EVANS  
Telephone: (703) 308-9140 EXT 212

**PART 1 - ATTORNEY/APPLICANT COPY**

FORM PCT/DO/EO/903 (371 Acceptance Notice)

 <b>EV 635933115 US</b>																																															
<b>Customer Copy</b> <small>Label 11-F, April 2004</small>																																															
																																															
<b>UNITED STATES POSTAL SERVICE®</b>																																															
<b>Post Office To Addressee</b>																																															
<table border="1"> <thead> <tr> <th colspan="3">ORIGIN (POSTAL SERVICE USE ONLY)</th> </tr> </thead> <tbody> <tr> <td>PO ZIP Code <b>10022</b></td> <td>Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Del Day</td> <td>Postage <b>\$ 32.05</b></td> </tr> <tr> <td>Date Accepted <b>25/06</b></td> <td>Scheduled Date of Delivery Month Day</td> <td>Return Receipt Fee \$ . . .</td> </tr> <tr> <td>Mo. Day Year <b>8/03/06</b></td> <td>Scheduled Time of Delivery Morning Day</td> <td>COD Fee <input type="checkbox"/> Insurance Fee <input type="checkbox"/></td> </tr> <tr> <td>Time Accepted AM PM <b>8/03/06</b></td> <td>Noon <input type="checkbox"/> 3pm <input type="checkbox"/></td> <td>\$ . . . \$ . . .</td> </tr> <tr> <td>Military</td> <td colspan="2">Total Postage &amp; Fees <b>\$ 32.05</b></td> </tr> <tr> <td>First Rate <input type="checkbox"/> Commercial <input type="checkbox"/> Personal <input type="checkbox"/> Other <input type="checkbox"/></td> <td>2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/></td> <td>Int'l Alpha Country Code <input type="checkbox"/> Acceptance Emp. Initials <b>DM</b></td> </tr> <tr> <td colspan="3">CUSTOMER USE ONLY</td> </tr> <tr> <td colspan="3">METHOD OF PAYMENT: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Credit Card <input type="checkbox"/> Debit Card</td> </tr> <tr> <td colspan="3">External Mail Deposit Acct. No.: <input type="checkbox"/> 00000000000000000000000000000000</td> </tr> <tr> <td colspan="3"> <b>FROM:</b> PLEASE PRINT: <b>DAKBY &amp; DARBY PC</b>  <b>PHONE:</b> <b>212 527 7774</b>  <b>DAKBY &amp; DARBY PC</b>  <b>805 3RD AVE FL 26</b>  <b>NEW YORK</b> <b>NY 10022-7557</b> </td> </tr> <tr> <td colspan="3"> <b>TO:</b> PLEASE PRINT: <b>MAIL STOP PCT</b>  <b>COMMISSIONER FOR PATENTS</b>  <b>PO BOX 1450</b>  <b>ALEXANDRIA</b> <b>VA 22313-1450</b> </td> </tr> <tr> <td colspan="3"> <small>Federal Agency Accts. No. or Postal Service Acct. No.</small> </td> </tr> <tr> <td colspan="3"> <small>NAME (Last, First, Middle Initials) PHONE (Area Code, City, State, Zip Code)</small> </td> </tr> <tr> <td colspan="3"> <small>WEBC</small> </td> </tr> </tbody> </table>			ORIGIN (POSTAL SERVICE USE ONLY)			PO ZIP Code <b>10022</b>	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Del Day	Postage <b>\$ 32.05</b>	Date Accepted <b>25/06</b>	Scheduled Date of Delivery Month Day	Return Receipt Fee \$ . . .	Mo. Day Year <b>8/03/06</b>	Scheduled Time of Delivery Morning Day	COD Fee <input type="checkbox"/> Insurance Fee <input type="checkbox"/>	Time Accepted AM PM <b>8/03/06</b>	Noon <input type="checkbox"/> 3pm <input type="checkbox"/>	\$ . . . \$ . . .	Military	Total Postage & Fees <b>\$ 32.05</b>		First Rate <input type="checkbox"/> Commercial <input type="checkbox"/> Personal <input type="checkbox"/> Other <input type="checkbox"/>	2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/>	Int'l Alpha Country Code <input type="checkbox"/> Acceptance Emp. Initials <b>DM</b>	CUSTOMER USE ONLY			METHOD OF PAYMENT: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Credit Card <input type="checkbox"/> Debit Card			External Mail Deposit Acct. No.: <input type="checkbox"/> 00000000000000000000000000000000			<b>FROM:</b> PLEASE PRINT: <b>DAKBY &amp; DARBY PC</b> <b>PHONE:</b> <b>212 527 7774</b> <b>DAKBY &amp; DARBY PC</b> <b>805 3RD AVE FL 26</b> <b>NEW YORK</b> <b>NY 10022-7557</b>			<b>TO:</b> PLEASE PRINT: <b>MAIL STOP PCT</b> <b>COMMISSIONER FOR PATENTS</b> <b>PO BOX 1450</b> <b>ALEXANDRIA</b> <b>VA 22313-1450</b>			<small>Federal Agency Accts. No. or Postal Service Acct. No.</small>			<small>NAME (Last, First, Middle Initials) PHONE (Area Code, City, State, Zip Code)</small>			<small>WEBC</small>		
ORIGIN (POSTAL SERVICE USE ONLY)																																															
PO ZIP Code <b>10022</b>	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Del Day	Postage <b>\$ 32.05</b>																																													
Date Accepted <b>25/06</b>	Scheduled Date of Delivery Month Day	Return Receipt Fee \$ . . .																																													
Mo. Day Year <b>8/03/06</b>	Scheduled Time of Delivery Morning Day	COD Fee <input type="checkbox"/> Insurance Fee <input type="checkbox"/>																																													
Time Accepted AM PM <b>8/03/06</b>	Noon <input type="checkbox"/> 3pm <input type="checkbox"/>	\$ . . . \$ . . .																																													
Military	Total Postage & Fees <b>\$ 32.05</b>																																														
First Rate <input type="checkbox"/> Commercial <input type="checkbox"/> Personal <input type="checkbox"/> Other <input type="checkbox"/>	2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/>	Int'l Alpha Country Code <input type="checkbox"/> Acceptance Emp. Initials <b>DM</b>																																													
CUSTOMER USE ONLY																																															
METHOD OF PAYMENT: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Credit Card <input type="checkbox"/> Debit Card																																															
External Mail Deposit Acct. No.: <input type="checkbox"/> 00000000000000000000000000000000																																															
<b>FROM:</b> PLEASE PRINT: <b>DAKBY &amp; DARBY PC</b> <b>PHONE:</b> <b>212 527 7774</b> <b>DAKBY &amp; DARBY PC</b> <b>805 3RD AVE FL 26</b> <b>NEW YORK</b> <b>NY 10022-7557</b>																																															
<b>TO:</b> PLEASE PRINT: <b>MAIL STOP PCT</b> <b>COMMISSIONER FOR PATENTS</b> <b>PO BOX 1450</b> <b>ALEXANDRIA</b> <b>VA 22313-1450</b>																																															
<small>Federal Agency Accts. No. or Postal Service Acct. No.</small>																																															
<small>NAME (Last, First, Middle Initials) PHONE (Area Code, City, State, Zip Code)</small>																																															
<small>WEBC</small>																																															
<small>FOR PICKUP OR TRACKING: visit <a href="http://WWW.USPS.COM">WWW.USPS.COM</a> or Call 1-800-222-1811</small>																																															

BEST AVAILABLE COPY

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	6228
RECIPIENT ADDRESS	212 753 6237
DESTINATION ID	
ST. TIME	07/27 09:39
TIME USE	01'51
PGS.	9
RESULT	OK